

ORDINANCE NUMBER O- 19017 (NEW SERIES)

ADOPTED ON DEC 10 2001

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 6, DIVISION 11, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 26.1101, 26.1102 AND 26.1103, AND REPEALING SECTION 26.1104, ALL RELATING TO THE CITY PUBLIC UTILITIES ADVISORY COMMISSION.

WHEREAS, the Select Committee on Government Efficiency and Fiscal Reform appointed a Water and Sewer Commission Working Group to explore the concept of establishing a Water and Sewer Commission to provide oversight of the Water and Metropolitan Wastewater Departments and to advise the Mayor and Council on strategic planning, capital improvement programs, budgeting and operations; and

WHEREAS, the Working Group held six months of meetings and issued a report dated April 25, 2001 to the Select Committee; and

WHEREAS, the Working Group recommended and the Select Committee agreed that a Public Utilities Advisory Commission should be created to participate in the review of department operations and major expenditures and to help in promoting public awareness and outreach efforts; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 2, Article 6, Division 11, of the San Diego Municipal Code be and the same is hereby amended by amending sections 26.1101, 26.1102 and 26.1103, to read as follows:

**§26.1101 Purpose and Intent**

It is the purpose and intent of the City Council to establish a City Public Utilities Advisory Commission to serve as an advisory body to the Mayor, City Council and City Manager on policy issues relating to the oversight of department operations including, but not limited to, resource management, planned expenditures, service delivery methods, public awareness and outreach efforts, high quality and affordable utility services provided by the public utilities departments of the City of San Diego, including the Water and Metropolitan Wastewater Departments. It is the vision of the City Public Utilities Advisory Commission that there is a maintained high level of public confidence in the City of San Diego's utility services because the services are provided in the most cost effective and environmentally sensitive way.

**§26.1102 City Public Utilities Advisory Commission Established**

There is hereby created a City Public Utilities Advisory Commission consisting of eleven members, the majority of whom shall be residents of the City of San Diego, who shall serve without compensation although they may be reimbursed for expenses incurred in performing their duties. The members shall be

appointed by the Mayor and confirmed by the Council. At least one of the members shall be one of the ten City representatives on the County Water Authority [CWA] Board. The Commission shall also include two non-voting ex-officio members representing and appointed by the Metropolitan Wastewater Participating Agencies. In making the appointments, consideration should be given to persons whose professional background or experience are in the fields of finance, engineering, utilities, and law.

The members shall serve four-year terms and each member shall serve until a successor is duly appointed and confirmed. Commissioners may serve a maximum of two full four-year terms, for a maximum of eight consecutive years, with a four-year interval between terms in accordance with Section 43 of the City Charter. The members shall be appointed in such manner that the terms of not more than six members shall expire in any year. The expiration date of all terms shall be January 1. Any vacancy shall be filled for the unexpired term of the member whose place becomes vacant. The Commission shall adopt rules consistent with the law for the government of its business and procedures which must be approved by the City Council. If any member misses three or more meetings in a calendar year, they will be automatically removed from office. The Mayor shall appoint the Chairperson and Vice Chairperson, who shall each serve for a term of one year.

Pursuant to City Council Policy 000-4, adopted by the City Council on December 26, 1967, the Commission shall abide by the City of San Diego Code of Ethics for conduct of all Commission meetings and for any related activities undertaken as Commission members.

**§26.1103 Duties and Functions**

The Commission shall:

- (a) Provide advice and recommendations to the Mayor, City Council, City Manager and the Utilities General Manager on matters related to Public Utilities operations which impact ratepayers and residents of the City of San Diego. These operations may include Water, Wastewater, or other utility services as assigned.
- (b) Review department operations, planned expenditures, and service delivery methods and assist in promoting public awareness and outreach efforts to ensure that resources are responsibly managed, including human, financial and capital resources.
- (c) Make available to the City Manager its findings and recommendations and present periodic Reports to the City Council.
- (d) Perform such further duties as may from time to time hereafter be delegated to it by resolution of the City Council.
- (e) Conduct such investigations, studies, and hearings which in the judgment of the Commission will aid in effectuating its general purposes.

Section 2. That Chapter 2, Article 6, Division 11, of the San Diego Municipal Code be and the same is hereby amended by repealing section 26.1104.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By Stuart H. Swett  
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